

REMARKS

Claims 1-32 have been examined, with all claims rejected based on prior art. More specifically, claims 1-4, 7-11, 14-17, 20-23, 24-26, and 29-32 have been rejected under 35 USC 102(e) as being anticipated by Wygodny et al. (U.S. Patent No. 7,058,928; hereinafter "Wygodny"), and claims 5, 6, 12, 13, 18, 19, 27, and 28 have been rejected under 35 USC 103(a) as being unpatentable over Wygodny in view of "Applicant's choice of conserving usage by reducing the size of traces."

Applicant has amended independent claim 1 to include the features of dependent claims 2 and 3. Amended independent claim 1 recites "wherein the synchronization operation comprises inserting a number equal to the number of instructions issued since a previous synchronization operation into the program trace," which is the feature from original claim 3.

In the Examiner's opinion, this feature is disclosed in column 33, line 44 of Wygodny, which reads: "Save value of a variable in the log file." This statement does clearly not disclose the claimed feature that a number equal to the number of instructions issued since a previous synchronization operation is inserted into the program trace. Therefore, the amended claim 1, along with its dependents claims, are patentable over the applied references for at least this reason.

Similarly, Applicant has amended independent claim 8 to include the features of original claims 9 and 10. Amended claim 8 is the apparatus claim which corresponds to amended claim 1. Amended claim 8, along with its dependent claims, are therefore patentable for substantially the same reasons as amended claim 1.

Regarding claims 15 and 24, the Examiner's objections regarding these claims are not justified. In the Examiner's opinion, claims 15 and 24 are not allowable for the same reasons as original claims 1 and 8. However, claims 15 and 24 include a feature which is not claimed in these claims. This feature is a thread switch marker being inserted into the program trace when a thread switch is detected. Claims 1 and 8 include the feature that thread IDs are inserted into the program trace. Thread switch markers and thread IDs are, however, different items of information. This

feature of claims 15 and 24 is not found in the applied prior art. Claims 15 and 24, along with their dependent claims, are therefore patentable over the applied references for at least this reason.

Finally, Applicant has added new claims 33 and 34, which are based on independent claims 8 and 24, respectively, but are not limited by the "means plus function" language. These new claims are patentable for at least the same reasons as discussed above for claims 8 and 24.

In view of the above, Applicant believes the pending application is in condition for allowance.

Dated: July 11, 2007

Respectfully submitted,

By 

Laura C. Brutman

Registration No.: 38,395
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant